

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re Flint Water Cases 16-10444

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The Hon. Judith E. Levy
United States District Judge

Bellwether III Case No. 17-10164

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NOTICE OF OBJECTION
TO DESIGNATIONS OF PROTECTED MATERIAL

Pursuant to the Court’s December 19, 2019 Confidentiality Order [Case No. 16-cv-10444, ECF No. 299],¹ Plaintiffs challenge the designations of the following documents previously produced by the Veolia Defendants (“Veolia”), each of which has been designated CONFIDENTIAL:

1. VWNAOS553019-VWNAOS553019.001
2. VWNAOS553106-VWNAOS553106.001
3. VWNAOS553018-VWNAOS553018.001
4. VWNAOS553047-VWNAOS553047.004
5. VWNAOS553206-VWNAOS553206.001
6. VWNAOS553209-VWNAOS553209.001
7. VWNAOS553105-VWNAOS553105.004

¹ See also Fifth Amended Case Management Order [Case No. 16-cv-10444, ECF No. 1255-3].

8. VWNAOS553075-VWNAOS553075.004
9. VWNAOS553035-VWNAOS553035.001
- 10.VWNAOS258941
- 11.VWNAOS259093
- 12.VWNAOS259095
- 13.VWNAOS259106
- 14.VWNAOS259131-VWNAOS259132
- 15.VWNAOS259135-VWNAOS259136
- 16.VWNAOS259137-VWNAOS259138
- 17.VWNAOS259139
- 18.VWNAOS259140-VWNAOS259141
- 19.VWNAOS259168-VWNAOS259169
- 20.VWNAOS259315
- 21.VWNAOS297469-VWNAOS297520
- 22.VWNAOS329113
- 23.VWNAOS329249
- 24.VWNAOS329250
- 25.VWNAOS330596-VWNAOS330598
- 26.VWNAOS331398-VWNAOS331410
- 27.VWNAOS331431-VWNAOS331443

28.VWNAOS427448-VWNAOS427459

29.VWNAOS460104-VWNAOS460180

30.VWNAOS460801-VWNAOS460877

31.VWNAOS461948-VWNAOS461966

32.VWNAOS489159-VWNAOS489160

33.VWNAOS526653-VWNAOS526657

34.VWNAOS543122

35.VWNAOS543126-VWNAOS543127

36.VWNAOS543128-VWNAOS543129

37.VWNAOS543201

38.VWNAOS543270-VWNAOS543274

39.VWNAOS543360-VWNAOS543364

40.VWNAOS543496

41.VWNAOS543511-VWNAOS543513

42.VWNAOS543713

43.VWNAOS543744

44.VWNAOS543746

45.VWNAOS543747

46.VWNAOS543757-VWNAOS543758

47.VWNAOS543782-VWNAOS543783

48.VWNAOS543798

49.VWNAOS543802

50.VWNAOS543805-VWNAOS543806

51.VWNAOS543809-VWNAOS541810

52.VWNAOS54811-VWNAOS543813

53.VWNAOS543843

54.VWNAOS543851

55.VWNAOS543852

56.VWNAOS543858-VWNAOS543859

57.VWNAOS543861-VWNAOS543862

58.VWNAOS543866-VWNAOS543869

59.VWNAOS543870-VWNAOS543873

60.VWNAOS543874-VWNAOS543878

61.VWNAOS543879-VWNAOS543882

62.VWNAOS543883-VWNAOS543887

63.VWNAOS543888-VWNAOS543893

64.VWNAOS543894-VWNAOS543899

65.VWNAOS543903-VWNAOS543904

66.VWNAOS543905-VWNAOS543906

67.VWNAOS543910-VWNAOS543911

68.VWNAOS543912-VWNAOS543913

69.VWNAOS543917-VWNAOS543919

70.VWNAOS543921-VWNAOS543923

71.VWNAOS543960-VWNAOS543964

72.VWNAOS544514-VWNAOS544518

73.VWNAOS553021

74.VWNAOS553102

75.VWNAOS557308

Plaintiffs informed Veolia of their formal challenge to these designations on August 14, 2023 via email.²

Veolia has not acknowledged the correspondence.

The subject documents do not contain confidential information under applicable law or pursuant to this Court's prior orders. Thus, because there is a profound public interest in the Flint Water Crisis and in this litigation (as Veolia and the Court have consistently stated); because the truth matters (as Veolia has vigorously and publicly argued);³ and in light of Veolia's significant public presence

² August 14, 2023 correspondence to Veolia (Challenge to Confidentiality Designations), attached hereto as **Exhibit A** and incorporated by reference as if fully stated herein.

³ See @VNAFlintFacts: Description of Twitter handle, attached hereto as **Exhibit B** and incorporated by reference as if fully stated herein.

online and Veolia's continued public misinformation campaign,⁴ these documents must be de-designated as CONFIDENTIAL. Further, if any are made public, such would not cause oppression, competitive disadvantage, infringement of privacy rights established by statute or regulation, or infringement of confidentiality requirements established by statute or regulation with respect to government purchasing or other operations. Conversely, and perhaps most importantly, doing so might begin to level the playing field.

Dated: August 29, 2023

Respectfully submitted,

/s/ Corey M. Stern

Corey M. Stern

Melanie Daly

605 Third Ave., 33rd Fl.

New York, New York 10158

cstern@levylaw.com

mdaly@levylaw.com

⁴ See Declaration of Lauren H. Cohen, Ph.D., previously filed in Case No. 16-cv-10444 [ECF No. 2550], attached hereto as **Exhibit C** and incorporated by reference as if fully stated herein.

CERTIFICATE OF SERVICE

I, Corey Stern, hereby certify that on August 29, 2023 the foregoing document and the attached exhibits were served on all counsel of record via the court's ECF system.

/s/ Corey M. Stern
Corey M. Stern